

**MINUTES OF THE BOARD OF HEALTH MEETING
January 6, 2020**

PRESENT: Thomas Driscoll (Chair), Matt Newman (Clerk), Gary Fine (Member), Lisa Cullity (Health Agent), Sheila Landy (Secretary), Sabrina Chilcott (Assistant Town Manager), Jody Murphy (Marylou's), Jodi Seery (Marylou's) and Brooke Young (PTN Reporter).

CHAIR DRISCOLL OPENED THE MEETING AT 6:00 PM AND READ THE STATEMENT REGARDING AUDIO RECORDING OF THE MEETING

BOARD ACTION ITEM – Discuss and vote Variance Request for 10 Harvard Street Septic Repair – Morse Engineering

Variances requested from the Morse Engineering plan:

LOCAL UPGRADE APPROVAL REQUESTS

1. 310 CMR 15.405 (b): TO ALLOW A REDUCTION IN THE SETBACK FROM THE FOUNDATION TO THE SAS FROM 20' (REQ'D) TO 7.9' (DESIGN).
2. 310 CMR 15.405 (b): TO ALLOW A REDUCTION IN THE SETBACK FROM THE FOUNDATION TO THE PUMP CHAMBER FROM 10' (REQ'D) TO 5.5' (DESIGN).
3. 310 CMR 15.405 (b): TO ALLOW A REDUCTION IN THE SETBACK FROM THE FOUNDATION TO THE SEPTIC TANK FROM 10' (REQ'D) TO 5.5' (DESIGN).
4. 310 CMR 15.405 (g): TO ALLOW A REDUCTION IN THE SETBACK FROM THE WATER SERVICE TO THE SEPTIC TANK FROM 10' (REQ'D) TO 6.2' (DESIGN).
5. 310 CMR 15.405 (h): TO ALLOW A REDUCTION IN THE SETBACK FROM THE ESHGW (ESTIMATED SEASONAL HIGH GROUND WATER) TO THE SAS FROM 4' (REQ'D) TO 3' (DESIGN).

WAIVER FROM TOWN OF PEMBROKE BOARD OF HEALTH TITLE 5 RULES AND REGULATIONS

1. 15.211(5): TO ALLOW A REDUCTION IN THE SETBACK FROM A BORDERING VEGETATED WETLAND TO THE SOIL ABSORPTION SYSTEM FROM 75' (REQD) TO 50.1' (DESIGN)

Newman made a motion to accept the variances as submitted, Driscoll seconded and the motion carried.

BOARD ACTION ITEM – Approve Minutes from September 23, 2019, October 21, 20019, November 18, 2019 and December 2, 2019

Minutes moved by Driscoll, seconded by Newman and passed.

BOARD ACTION ITEM – Discuss and possibly vote banning garbage grinders

The Health Agent discussed the state regulations regarding garbage grinders. The state requires two tanks and 25% more leaching capacity among other requirements. The Health Agent has not yet seen a plan that is stamped "Designed for Garbage Grinder Use." Most, if not all, are marked as "Not Designed for Garbage Grinder Use." Driscoll made a motion to ban garbage grinders unless the septic system is Title 5 compliant for garbage grinder use. Fine seconded and all were in favor.

BOARD ACTION ITEM – Discuss and possibly vote requiring all system covers be brought to grade

The Health Agent discussed state regulations regarding system covers being brought to grade. The state requires all system covers be to grade. There are systems in Pembroke with system covers as much as 6 to 7 feet deep. A couple of inches is not a problem. Deep ones are dangerous. Newman made a motion to move that at the time of a Title Five Inspection, both septic tank covers (in and out), all pump chamber covers and the distribution box (or boxes) cover(s) be brought to grade if those covers are more than 12" below the current grade.

Driscoll seconded. Fine was opposed.

BOARD ACTION ITEM – Marylou's tobacco and retail Food Violation

Jody Murphy (CEO) and Jodi Seery attended from Marylou's. Marylou's failed to apply for licenses for tobacco and retail food. They don't know how it happened and apologized. Driscoll made a motion to imposed a \$600

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fine plus double required fees $(\$75 + \$50) \times 2 = \$250.00$ for &850 total in fines. Newman seconded and all were in favor.

HEALTH AGENT REPORT

The Agent said has been quieter lately. There are a couple installs going on. Percs are starting up. There is an Emergency Preparedness meeting next week. She just attended the Winter Storm Prep Meeting with the Town Manager and the other departments which went well. Buildings are ready and the generators have been tested. The Agent asked for the support of the Board in light of the recent tragedy on December 29, 2019. The Agent stated if she were to go to a job site in Pembroke where a permit has been issued by the Board of Health Office and anyone working on the site was intoxicated or inebriated, she would call the police and OSHA. She would also have the person before the Board to have their license revoked. The Board gave the Health Agent their full support.

Driscoll asked for the status for the rooster. The Agent stated she asked 92 Mattakeesett to allow her to verify the roosters were gone and she declined. Driscoll asked the rooster to be on the next agenda for a vote.

The Agent updated the Board on the Livestock Subcommittee. They are respectful and thoughtful.

After some discussion, the Chair stated the meeting would be February 3, 2020 at 5:00pm. Mr. Fine stated he could not make it. Driscoll stated the meeting would start at 5:00pm.

BOARD ACTION ITEM – Discuss and possibly vote requiring all system covers be brought to grade (cont.)

The secretary asked the Board to rephrase the motion made earlier in the meeting to make it clearer. The new motion made by Newman was:

At the time of a Title Five Inspection, both septic tank covers (in and out), all pump chamber covers and the distribution box (or boxes) cover(s) be brought within 12 inches of grade if those covers are more than 12” below the current grade. Driscoll seconded and all were in favor.

Newman made a motion to adjourn at 6:45 p.m., Driscoll seconded and all were in favor.

Thomas Driscoll
Chair